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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hu et al.

Application Serial No.: 09/219,442

Filed: December 23, 1998

For: Vascular Endothelial Growth Factor



Group Art Unit: 1646

Examiner: Saoud, C.

Atty. Docket No.: PF112P2D1

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR 1.97(c)

Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants wish to bring to the attention of the Examiner:

- (a) Statutory Declaration of Peter Adrian Walton Rogers, and exhibit 1;
- (b) Statutory Declaration of Kari Alitalo, and exhibits 1-3; and
- (c) Statutory Declaration of Francis John Ballard and exhibit 1.

The exhibits accompanying the above-listed declarations are references which were recently brought to the attention of the Applicants in connection with an opposition to an Australian application, that essentially corresponds to the U.S. priority application in this case. Although Applicants have determined these references to be cumulative to the art of record or immaterial to the pending claims of the U.S. application, Applicants bring these references to the Examiner's attention in the event that they may be material to the patentability of the pending claims in the instant applications. Copies of each of the above-listed Declarations and accompanying exhibits thereto, are enclosed.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed references is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Please charge the required fee of \$240.00 to Deposit Account No. 08-3425. A duplicate of this paper is enclosed.

Respectfully submitted,

Dated: July 10, 2000

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Enclosures
MW/lcc